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CORRES. CONTROL
INCOMING LTR NO.

States Government

Department of Energy

Rocky Flats Office

memorandum

DATE

MAY 11 10 38 AM '92

MAY 07 1992

WMED:RD:5137

EG&G
ROCKY FLATS PLANT
CORRESPONDENCE CONTROL

EG&G Continued Generation and Storage of Land Disposal Restricted Mixed Wastes

James O. Zane
General Manager
EG&G Rocky Flats, Inc.

This memorandum is in reply to your memorandum of May 4, 1992, and provides confirmation that EG&G may continue to generate certain mixed wastes, which are prohibited from land disposal (LDR wastes). Certain LDR wastes known as "Thirds" waste are not subject to the Federal Facilities Compliance Agreement (FFCA) II and have been generated and stored pursuant to a National Capacity Variance (NCV) which expires May 8, 1992.

The FFCA II can be amended in accordance with its terms to allow the "incorporation of all prohibited waste not already addressed ... (in the FFCA II)". The Environmental Protection Agency (EPA) and the U.S. Department of Energy (DOE) have signed an amendment to the FFCA II to include "Thirds" waste. The attached May 6, 1992, letter from EPA Region VIII to the Rocky Flats Office and the signed Amendment are provided for your information in this regard. Based upon the attached letter there is no need at this time to suspend operations which may generate "Thirds" waste or result in storage of these wastes since they are to be covered under the FFCA II provisions.

However, the coverage provided by the amendment is to be short lived, pending the granting of authority to the Colorado Department of Health (CDH) by EPA to regulate "Thirds" wastes. The DOE and CDH are to negotiate a new FFCA which will include "Thirds" waste, but it is not certain that this new FFCA will be in place when the FFCA II coverage expires. Although the parties hope that there will be no lapse in coverage between the two FFCA's, this eventuality should be planned for. The RFO is aware of the planning already done by EG&G related to an anticipated suspension of operations after May 8, 1992. This planning should continue in case a new FFCA with CDH is not in place in a timely manner.

Planning should be coordinated through the Assistant Manager for Environmental Management so that a mutually agreeable scope and schedule can be developed. We look forward to your continued attention to this matter so that the issues can be properly developed and analyzed to minimize the impacts of any suspension of operations.

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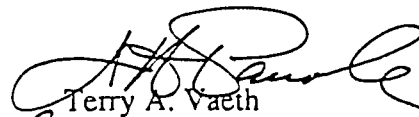
ACTION	
DIST.	LTR ENC
BENJAMIN, A.	
BERMAN, H.S.	
BRANCH, D.B.	
BURLINGAME, A.H.	
CARNIVAL, G.J.	
COPP, R.D.	
CROUCHER, D.W.	
DAVIS, J.G.	
DEVERED, J.E.	ACT
FERRERA, D.W.	
GOODWIN, R.	
HANNI, B.J.	
HEALY, T.J.	
HILBIG, J.G.	
DEKER, E.H.	
HERSH, J.M.	XX
HIRBY, W.A.	
HRIEG, D.	
HUESTER, A.W.	
LEE, E.M.	
MAJESTIC, J.R.	
MARX, G.E.	
MORGAN, R.V.	
NOZZUTO, V.M.	
NOTTER, G.L.	
ANDLIN, N.B.	
HEPLER, R.L.	
SULLIVAN, M.T.	
SWANSON, E.R.	
ATMAN, K.G.	
WILSON, J.M.	XX
YOUNG, E.R.	XX
ZANE, J.O.	XX
Hubert, A.	XX
Anderson, S.	XX

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SAFFIC		

Reviewed for Addressee
Corres. Control RFP11-92 *Cia*

DATE BY

ADMIN RECORD


Terry A. Vaeth
Manager

Attachment

A-SW-001252

James O. Zane
WMED:RD:5137

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cc w/Attachment:

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S. Anderson, EG&G